

Message Text

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ACTION IO-13

INFO OCT-01 AF-08 ARA-10 EA-09 EUR-12 NEA-10 ISO-00 AID-05

EB-08 TRSE-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15

COME-00 OMB-01 OIC-02 /135 W

-----102127Z 126861 /62

R 101611Z FEB 77

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 2366

INFO AMEMBASSY ALGIERS

AMEMBASSY BERN

AMEMBASSY BOGOTA

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY CARACAS

AMEMBASSY FREETOWN

AMEMBASSY THE HAGUE

AMEMBASSY ISLAMABAD

AMEMBASSY KINSHASA

AMEMBASSY LAGOS

AMEMBASSY LONDON

AMEMBASSY MEXICO

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY TEHRAN

AMEMBASSY TOKYO

USMISSION EC BRUSSELS UNN

USMISSION GENEVA

USMISSION OECD PARIS UNN

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E.O. 11652: N/A

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TAGS: EINV, EGEN, UN, ECOSOC

SUBJECT: ECOSOC WORKING GROUP ON CORRUPT PRACTICES --

SECOND SESSION

1. ECOSOC IGWG ON CORRUPT PRACTICES HAS AGREED ON AN OUT-
LINE OF THE MAJOR ISSUES TO BE CONSIDERED IN ITS EXAMINA-
TION OF THE PROBLEM OF CORRUPT PRACTICES. SPECIFICALLY,

OUTLINE CONTAINS THE ISSUES TO BE DEALT WITH IN ELABORATING THE SCOPE AND CONTENTS OF AN AGREEMENT ON ILLICIT PAYMENTS AND MAKING OTHER PROPOSALS AND RECOMMENDATIONS.

2. THE AGREED OUTLINE CONTAINS ISSUES RAISED BY VARIOUS DELEGATIONS, SOME OF WHICH ARE CONTROVERSIAL. A QUALIFYING FOOTNOTE WAS THEREFORE ADDED TO INDICATE THAT THE OUTLINE DOES NOT PREJUDICE POSITIONS OF GOVERNMENTS ON THE ISSUES CONTAINED THEREIN. TEXT OF MAIN BODY OF OUTLINE IS QUOTED IN PARA 5 BELOW.

3. THIS OUTLINE, TOGETHER WITH THE ISSUES PAPER PREPARED BY THE CENTER ON TNCS, SHOULD ASSIST GOVERNMENTS IN CONSIDERING THEIR POSITIONS WITH RESPECT TO THE WORK OF THIS GROUP.

4. A FULL REPORT WILL BE SENT SEPTEL AT CONCLUSION OF MEETING.

5. QUOTE MAJOR ISSUES TO BE CONSIDERED IN THE EXAMINATION OF THE PROBLEM OF CORRUPT PRACTICES, IN PARTICULAR BRIBERY, IN INTERNATIONAL COMMERCIAL TRANSACTIONS BY TRANSNATIONAL AND OTHER CORPORATIONS, THEIR INTERMEDIARIES AND OTHERS INVOLVED

A. ISSUES TO BE CONSIDERED IN THE ELABORATION OF AN INTERNATIONAL AGREEMENT TO PREVENT AND ELIMINATE ILLICIT PAYMENTS, IN WHATEVER FORM, IN CONNEXION WITH INTERNATIONAL COMMERCIAL TRANSACTIONS
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I. PREAMBLE

II. DEFINITIONS

1. BRIBERY

2. ILLICIT PAYMENTS

3. OTHER CORRUPT PRACTICES

4. TRANSNATIONAL AND OTHER CORPORATIONS

5. INTERMEDIARIES AND OTHERS INVOLVED

6. GOVERNMENT AND PUBLIC OFFICIALS

7. PRIVATE OFFICIALS

8. INTERNATIONAL COMMERCIAL TRANSACTIONS

9. OTHER TERMS TO BE DEFINED

III. ACTION AT THE NATIONAL LEVEL: MEASURES BY HOME, HOST AND THIRD COUNTRIES

1. CRIMINALIZATION OF BRIBERY, ILLICIT PAYMENTS AND OTHER CORRUPT PRACTICES

2. JURISDICTION

3. DISCLOSURE (OF POLITICAL CONTRIBUTIONS, GIFTS AND LOANS TO PUBLIC OFFICIALS, FEES AND COMMISSIONS, ETC.)

4. REGULATION CONCERNING INTERMEDIARIES AND OTHERS INVOLVED

5. TAXATION TO DISCOURAGE BRIBERY, ILLICIT PAYMENTS AND OTHER
CORRUPT PRACTICES

6. MEASURES AGAINST THE PAYMENT OF ROYALTIES AND TAXES IN
CONTRAVENTION OF UNITED NATIONS RESOLUTIONS

7. CIVIL REMEDIES

8. OTHER MEASURES

IV. ACTION AT THE INTERGOVERNMENTAL LEVEL

1. EXCHANGE OF INFORMATION

2. MUTUAL JUDICIAL ASSISTANCE (FACILITATING ALL ASPECTS
OF INVESTIGATIONS AND PROSECUTIONS CONNECTED WITH BRIBERY,
ILLICIT PAYMENTS AND OTHER CORRUPT PRACTICES)

3. EXTRADITION

4. OTHER ACTIONS

V. SETTLEMENT OF DISPUTES

VI. ENTRY INTO FORCE.

B. PROPOSALS AND OPTIONS OTHER THAN AN INTERNATIONAL AGREEMENT

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(NOTE: THE OBJECTIVES OF THIS AGREED DOCUMENT ARE TO ASSIST
THE AD HOC INTERGOVERNMENTAL WORKING GROUP ON THE PROBLEM
OF CORRUPT PRACTICES IN ORGANIZING ITS WORK AND TO FOCUS ITS
ATTENTION ON MAJOR ISSUES TO BE CONSIDERED. THE ENUMERATION
OF HEADINGS AND ITEMS IS NOT EXHAUSTIVE, NOR DOES IT
PREJUDICE THE POSITION WHICH MIGHT BE TAKEN BY DELEGATIONS
IN FURTHER DISCUSSIONS.) UNQUOTE
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Message Attributes

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Capture Date: 01-Jan-1994 12:00:00 am
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Disposition Case Number: n/a
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Disposition History: n/a
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